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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2010-636

13 **CAROLINE ANNE GORDON**
14 **3207 Denison Ave.**
15 **San Pedro, CA 90731**
16 **Registered Nurse License No. 462952**

A C C U S A T I O N

Respondent.

17 Complainant alleges:

PARTIES

18 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
19 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
20 of Consumer Affairs (Board).

21 2. On or about March 31, 1991, the Board issued Registered Nurse License Number
22 462952 to Caroline Anne Gordon (Respondent). The Registered Nurse License was in full force
23 and effect at all times relevant to the charges brought herein and will expire on November 30,
24 2010, unless renewed.

JURISDICTION

25 3. This Accusation is brought before the Board under the authority of the following
26 laws. All section references are to the Business and Professions Code (Code) unless otherwise
27 indicated.
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1 ability to conduct with safety to the public the practice authorized by his or her license.

2 "(c) Be convicted of a criminal offense involving the prescription, consumption, or
3 self-administration of any of the substances described in subdivisions (a) and (b) of this section,
4 or the possession of, . . . , the substances described in subdivision (a) of this section, in which
5 event the record of the conviction is conclusive evidence thereof. . . ."

6 **REGULATORY PROVISION**

7 9. California Code of Regulations, title 16, section 1444 states, in pertinent part:

8 "A conviction or act shall be considered to be substantially related to the qualifications,
9 functions or duties of a registered nurse if to a substantial degree it evidences the present or
10 potential unfitness of a registered nurse to practice in a manner consistent with the public health,
11 safety, or welfare. . . ."

12 **COST RECOVERY**

13 10. Code section 125.3 provides, in pertinent part, that the Board may request the
14 administrative law judge to direct a licensee found to have committed a violation or violations of
15 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
16 enforcement of the case.

17 **FIRST CAUSE FOR DISCIPLINE**

18 **(Conviction of Substantially Related Crime)**

19 11. Respondent is subject to disciplinary action under Code sections 490 and 2761,
20 subdivision (f), in conjunction with California Code of Regulations, title 16, section 1444, in that
21 Respondent was convicted of a crime substantially related to the functions or duties of a
22 registered nurse which to a substantial degree evidences her present or potential unfitness to
23 practice as a registered nurse in a manner consistent with the public health, safety, or welfare.
24 The circumstances of the crime are as follows:

25 a. On or about March 25, 2010, pursuant to a nolo contendere plea to one misdemeanor
26 count, Respondent was convicted of violating Vehicle Code sections 23152(b) [driving with
27 >0.08% BAC] in the criminal proceeding entitled *The People of the State of California v.*
28 *Caroline Anne Gordon* (Super. Ct. Los Angeles County, No. 9SY09618.) The Court placed her

1 on three (3) years summary probation, among other conditions.

2 b. The circumstances of the conviction are that on or about September 26, 2009, a Palos
3 Verdes Estates police officer observed Respondent to be speeding and driving in an unsafe
4 manner. Respondent admitted to the officer that she had two glasses of Vodka/Tonic prior to
5 operating the vehicle. Respondent consented to a breath test which yielded a blood alcohol level
6 of 0.24% - 0.25%.

7 **SECOND CAUSE FOR DISCIPLINE**

8 **(Alcohol-Related Conviction)**

9 12. Respondent is subject to disciplinary action under Code sections 2761,
10 subdivision (a), and 2762, subdivision (c), on the grounds of unprofessional conduct, in that
11 Respondent was convicted of a criminal offense involving the consumption of alcohol.
12 Complainant refers to and by this reference incorporates the allegations set forth above in
13 paragraph 11 inclusive, as though set forth fully.

14 **THIRD CAUSE FOR DISCIPLINE**

15 **(Dangerous Use of Alcoholic Beverages)**

16 13. Respondent is subject to disciplinary action under Code sections 2761,
17 subdivision (a), and 2762, subdivision (b), on the grounds of unprofessional conduct, in that
18 Respondent used alcoholic beverages to an extent or in a manner dangerous or injurious to herself
19 and others and / or to the extent that such use impairs her ability to conduct with safety to the
20 public the practice authorized by her license. Complainant refers to and by this reference
21 incorporates the allegations set forth above in paragraph 11 inclusive, as though set forth fully.

22 **PRAYER**

23 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
24 and that following the hearing, the Board of Registered Nursing issue a decision:

25 1. Revoking or suspending Registered Nurse License Number 462952, issued to
26 Caroline Anne Gordon;

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2. Ordering Caroline Anne Gordon to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: _____

6/14/10

Louise R. Bailey

for LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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